

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STUDENT DOE NO. 1,

Plaintiff,

v.

KRISTI NOEM, in her official capacity as
Secretary of Homeland Security; the U.S.
DEPARTMENT OF HOMELAND
SECURITY; and TODD LYONS, in his
official capacity as Acting Director of U.S.
Immigration and Customs Enforcement,

Defendants.

Case No. 25-cv-1962

**DEFENDANTS' POSITION STATEMENT IN RESPONSE TO THE COURT'S
APRIL 25, 2025 ORDER**

In response to the Court's April 25, 2025 Order (ECF No. 25), Defendants submit this statement to notify the Court of their position about the import of Plaintiff's reactivated SEVIS record.

Plaintiff filed this case to challenge the termination of Plaintiff's SEVIS record. *See* ECF No. 1. And Plaintiff's motion for a temporary restraining order is likewise directed at the restoration of Plaintiff's SEVIS record. *See* ECF No. 8. As confirmed in the parties' Joint Submission filed contemporaneously with this Statement, Plaintiff's SEVIS record was returned to active status on April 24, 2025. Defendants submit that this development has rendered both Plaintiff's motion for a temporary restraining order (ECF No. 8) and this case moot because Plaintiff has

now obtained the relief Plaintiff requested.¹ Defendants thus intend to file a motion to dismiss based on mootness as soon as reasonably possible. And Defendants further submit that the fact of Plaintiff's reactivated SEVIS record is properly considered by the Court in its resolution of Plaintiff's motion for a temporary restraining order.

Dated: April 28, 2025

Respectfully submitted,

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United States Attorney

/s/ Anthony St. Joseph
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¹ A case is moot “when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Donovan v. Punxsutawney Area Sch. Bd.*, 336 F.3d 211, 216 (3d Cir. 2003) (quoting *Powell v. McCormack*, 395 U.S. 486, 496 (1969)). The Court’s ability to grant effective relief lies at the heart of the mootness doctrine. *Id.* (citing *County of Morris v. Nationalist Mvmt.*, 273 F.3d 527, 533 (3d Cir. 2001)).

CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2025, a true and correct copy of Defendants' Position Statement in Response to the Court's April 25, 2025 Order was filed electronically via the Court's CM/ECF system and served via CM/ECF on all counsel of record.

/s/ Anthony St. Joseph
ANTHONY ST. JOSEPH